UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/649,436	08/25/2000	Thomas D. Holt	004117.P006X	6870

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EXAMINER
PHAM, KHANH B

ART UNIT	PAPER NUMBER
2177	

DATE MAILED: 11/15/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

	Application No.	**Applicant(s)**
Office Action Summary	09/649,436	HOLT ET AL.
	Examiner	**Art Unit**	
	Khanh B. Pham	2177	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _25 August 2000_ .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-21_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-21_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)   4)☐ Interview Summary (PTO-413) Paper No(s). _____ .

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)   5)☐ Notice of Informal Patent Application (PTO-152)

3)☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .   6)☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the
United States before the invention thereof by the applicant for patent, or on an international application
by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this
title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act

of 1999 (AIPA) do not apply to the examination of this application as the application

being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily

published under 35 U.S.C. 122(b). Therefore, this application is examined under 35

U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2.   **Claims 1-9 are rejected under 35 U.S.C. 102(e) as being anticipated by**

Hoffert et al. (US 6,370,543 B2), hereinafter referred to as "Hoffert".

As per claim 1, Hoffert teaches a method for real-time distillation of a source

document, comprising:

- "receiving search criteria from a client" at Col. 3 lines 20-67;

- "searching a plurality of sources based on the search criteria" at Col. 3 lines 20-
  67;

- "determining search results responsive to said searching" at Col. 3 lines 20-67;

- "distilling the search results in accordance with one or more data types, each data type comprising a data type constraint" at Col. 4 line 52 to Col. 5 line 6;

- "identifying one or more data type constraints for each search result" at Col. 4 line 52 to Col. 5 line 6;

- "finding the data type constraint in the context of each search result, the context having the data type constraint and text surrounding the data type constraint; and creating a distilled result having the context" at Col. 5 lines 7-40.

As per claim 2, Hoffert teaches the method as in claim 1, wherein "the amount of text surrounding the data type constraint is defined by a user" at Col. 5 lines 56-66.

As per claim 3, Hoffert teaches a method for real-time distillation of a source document, comprising:

- "receiving search criteria from a client" at Col. 3 lines 20-67;

- "searching a plurality of sources based on the search criteria" at Col. 3 lines 20-67;

- "determining search results responsive to said searching" at Col. 3 lines 20-67;

- "distilling the search results by identifying one or more key sentences for each search result" at Col. 4 line 52 to Col. 5 line 6;

- "finding the key sentence in the context of each source, the key sentence context having the key sentence and text surrounding the key sentence; and creating a distilled result having the key sentence context" at Col. 5 lines 7-40.

As per claim 4, Hoffert teaches the method as in claim 1, wherein "the amount of text surrounding the key sentence is defined by a user" at Col. 5 lines 56-66.

As per claim 5, Hoffert teaches a method for real-time distillation of a source
document, comprising:

- "contacting a search server; submitting search criteria to the search server" at
  Col. 4 lines 6-20;

- "receiving search results responsive to said submitting" at Col. 4 lines 4-20;

- "distilling the search results by finding one or more key sentences for each
  search result" at Col. 4 line 52 to Col. 5 line 6;

- "finding the key sentence in the context of each source, the key sentence context
  having the key sentence and text surrounding the key sentence; and creating a
  distilled result having the key sentence context" at Col. 5 lines 7-40.

As per claim 6, Hoffert teaches a method for displaying search results,
comprising

- "receiving search criteria from a client; searching a plurality of sources based on
  the search criteria; determining search results responsive to said searching, the
  search results comprising source documents" at Col. 3 lines 10-67;

- "distilling the source documents into one or more result objects, each of the result
  objects corresponding to one of the source documents" at Col. 4 line 52 to Col. 5
  line 40;

- "for each result object, creating an index from the result object into its
  corresponding source document" at Col. 4 line 52 to Col. 5 line 40.

As per claim 7, Hoffert teaches the method as in claim 6, wherein said creating
an index for a given result object comprises:

- "finding the portion of the corresponding source document matching a given

  result object" at Col. 4 line 52 to col. 5 line 40;

- "creating a path to the portion of the corresponding source document" at Col. 6

  lines 10-29.

As per claim 8, Hoffert teaches the method as in claim 7, wherein "the portion of

the corresponding source document is determined by the user" at Col. 5 lines 55-66.

As per claim 9, Hoffert teaches the method as in claim 7, wherein "the path

comprises a hyperlink" at Col. 6 lines 10-29.

3.   **Claims 10-21 are rejected under 35 U.S.C. 102(e)** as being anticipated by Tso

et al. (U.S 6,385,602 B1), hereinafter referred to as "Tso".

        As per claim 10, Tso teaches a method for displaying search results,

comprising:

- "receiving search criteria from a client" at Col. 1 lines 10-17;

- "searching a plurality of sources based on the search criteria" at Col. 1 lines 10-

  17;

- "determining search results responsive to said searching" at Col. 1 lines 10-17;

- "distilling the search results; creating a mid-menu by generating one or more

  result categories, each result category having a number of results" at Col. 3 lines

  50-67 and Figs. 3A-3C;

- "determining a content metric of each result category, the content metric being a measure of the value of the result category" at Col. 8 lines 58-67;

- "displaying the mid-menu" at Col. 6 lines 34-36 and Figs. 3A-3C.

As per claim 11, Tso teaches the method as in claim 10, wherein "the determining of the content metric comprises determining a quantitative measure for each result type" at Col. 8 lines 58-67.

As per claim 12, Tso teaches the method as in claim 11, wherein "the quantitative measure comprises the number of results for each result category" at Col. 8 lines 58-67 and Fig. 3C.

As per claim 13, Tso teaches the method as in claim 11, wherein "the quantitative measure comprises the number of occurrences of pre-specified data" at Col. 8 lines 58-67 and Fig. 3C.

As per claim 14, Tso teaches the method as in claim 10, wherein "the determining of the content metric comprises determining a qualitative measure for each result category" at Col. 8 lines 58-67 and Fig. 3C.

As per claim 15, Tso teaches the method as in claim 14, wherein "the qualitative measure comprises a determining the relevance of the results of the result category to the search criteria" at Col. 7 lines 50-58.

As per claim 16, Tso teaches the method as in claim 10, wherein "at least one of the result categories comprises a data type" at Col 5 lines 39-59.

As per claim 17, Tso teaches the method as in claim 10, wherein "at least one of the result categories comprises a user-defined type" at Col. 4 lines 42-55.

As per claim 18, Tso teaches the method as in claim 10, "additionally comprising determining user preferences, and dynamically creating the mid-menu in accordance with the user preferences" at Col. 8 lines 32-44.

As per claim 19, Tso teaches a method for displaying search results, comprising:

- "receiving search criteria from a client" at Col. 1 lines 10-17;

- "searching a plurality of sources based on the search criteria" at Col. 1 lines 10-17;

- "determining search results responsive to said searching" at Col. 1 lines 10-17;

- "distilling the search results; determining user preferences; creating a mid-menu in accordance with the user preferences by dynamically generating one or more result categories, each result category having a number of results" Col. 8 lines 32-67; and

- "determining a content metric associated with each result category, the content metric being a measure of the value of the result category" at Col. 8 lines 58-67;

- "displaying the mid-menu" at Col. 6 lines 34-36 and Figs. 3A-3C.

As per claim 20, Tso teaches a method as in claim 19, wherein "the determining of the content metric comprises determining a quantitative measure for each result type" Col. 8 lines 58-67 and Fig. 3C.

As per claim 21, Tso teaches a method as in claim 19, wherein "the determining of the content metric comprises determining a qualitative measure for each result category" at Col. 8 lines 58-67 and Fig. 3C.

Conclusion

4.   The prior art made of record, listed on form PTO-892, and not relied upon, if any, is considered pertinent to applicant's disclosure.

If a reference indicated as being mailed on PTO-FORM 892 has not been enclosed in this action, please contact Lisa Craney whose telephone number is **(703) 305-9601** for faster service.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh B. Pham whose telephone number is (703) 308-7299. The examiner can normally be reached on Monday through Friday 7:30am to 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E Breene can be reached on (703) 305-9790. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)746-7240.

Khanh B. Pham
Examiner
Art Unit 2177

KBP
November 12, 2002

JEAN R. HOMERE
PRIMARY EXAMINER